IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 15.06.2005

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice AR.RAMALINGAM

Writ Petition No.13253 of 1998
and
WPMP Nos.20153 and 25247 of 1998

1. S.Panneerselvam
2. V.Srirangan
3. R.Muthiah
4. N.Venkataraman ... Petitioners

vs.

1. Secretary to Government
of Tamil Nadu,
Highways Department,
Fort St. George,
Chennai-9.

2. Chief Engineer, (Highways and
Rural Works) Chepauk,
Chennai-5.

3. S.Vishnurathan

4. Tamilnadu State Administrative
Tribunal, Madras, rep.
by Registrar, Chennai-104. ... Respondents

For Petitioners : Mr.R.Ganesan

For R-1 : Mr.S.Srinivasan,
Govt. Advocate.

For R-3 : Mr.A.Thirumoorthy

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Petition under Article 226 of the Constitution of India for the issuance of a writ of certiorari to call for the records connected with O.A. No.2614 of 1996 dated 3.4.1998 of the Tamil Nadu State Administrative Tribunal, Madras, and to quash the said order.

O R D E R

(Order of the Court was made by P.SATHASIVAM, J.)

Aggrieved by the order of the Tamil Nadu Administrative Tribunal, dated 3.4.1998, made in O.A. No.2614 of 1996, the petitioners, numbering four, have filed the above Writ Petition.

2. Heard learned counsel for petitioners as well as R-1 and contesting third respondent.

3. In the light of the limited relief granted by the Tribunal, we are of the view that it is unnecessary for us to refer all the factual matrix as referred to by the petitioners as well as the respondents particularly the contesting third respondent.

4. It is seen from paragraph No.7 of the impugned order that the Tribunal, after satisfying itself that the applicant therein viz., third respondent herein, was not given opportunity to put forth his claim, set aside the proceedings dated 26.3.1996 and directed the Chief Engineer, Highways and Rural Works, Chepauk, Chennai-5, the 2nd respondent herein, to afford opportunity to the applicant therein (3rd respondent herein) as well as others including the petitioners herein and pass appropriate orders in accordance with law. The said order further shows that while passing the said order, the authority should give opportunity to all the persons and also consider the orders issued in O.A. No.904 of 1991 to the extent to which it has bearing upon the seniority of the applicant therein as against those respondents (petitioners herein) in the list of seniority of Assistants. In the light of the said conclusion and of the fact that all the parties will have opportunity to put forth their claim, we are of the view that there is no valid ground for interference.

5. Accordingly, the Writ Petition is dismissed. No costs. Connected W.P.M.Ps. are closed. It is made clear that we have not expressed our views regarding the claim of either parties

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and it is for them to highlight the same before the appropriate authority as directed by the Tribunal.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

JI.

To

1. TheSecretary to Government
of Tamil Nadu,
Highways Department,
Fort St. George, Chennai-9.

2. The Chief Engineer, (Highways and
Rural Works) Chepauk,
Chennai-5.

3. The Registrar,
Tamilnadu State Administrative
Tribunal, Madras,
Chennai-104.

One cc to Mr.R.Ganesan, advocate (SR.No.24114)

one cc to Govt., Pleader (SR.No.24074)

one cc to Mr.A. Thirumurthy, advocate (SR.No.24233)

WP. No.13253 of 1998
& connected WPMPs.

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